REMARKS

Claims 1-5 are pending in this application. By this Amendment, claims 1-3 and 5 are amended to overcome the claim objections set forth in the Office Action. These amendments add no new matter.

In addition, Figures 2 and 3A are each amended so as to include the legend "Related Art," which legend corresponds to the identification of these drawing Figures in the specification (see paragraphs 29 and 30).

In view of the foregoing amendments and the following remarks, reconsideration of this application is respectfully requested.

I. Drawing Objection

Figures 2 and 3A were objected to as lacking an appropriate legend. Submitted with this Amendment are revised Figures 2 and 3A, each amended to include the legend "Related Art." This legend corresponds to the description of these Figures at specification paragraphs 29 and 30.

II. Claim Objections

Claims 1-3 and 5 were objected to for informalities. By this Amendment, the Patent Office's suggestions for revising claims 1-3 and 5 have all been adopted.

Accordingly, reconsideration and withdrawal of the claim objections are respectfully requested.

III. Rejection Under 35 U.S.C. §102(b)

Claims 1 and 2 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 6,160,339 (Takagi). This rejection is respectfully traversed.

Claim 1 defines a surface acoustic wave (SAW) resonator having a structure including "a pair of reflectors arranged on both sides of the interdigital transducer in a propagation

direction." As explained at paragraphs 41 and 42 of the specification, and as illustrated in Figure 5, this structure defines a one-port SAW resonator.

To the contrary, Takagi does not describe a one-port SAW resonator. Takagi instead describes a two-port SAW resonator. See the Abstract. As described in Takagi (see, e.g., claim 1), the two-port SAW resonator has a structure comprised of a first interdigital transducer that activates surface acoustic waves, one pair of a second interdigital transducer and a third interdigital transducer that receives the surface acoustic waves, one of the pair positioned on each side of said first interdigital transducer, and one pair of reflectors, one of the pair of reflectors positioned on one side of said second interdigital transducer and another of the pair of reflectors positioned on one side of said third interdigital transducer.

In other words, the two-port SAW resonator of Takagi is provided with three interdigital transducers and is formed so that the period lengths of the second and third interdigital transducers, which are arranged on the both sides of the first interdigital transducer, are different.

The two-port SAW resonator of Takagi thus has a different structure than the one-port SAW resonator of claim 1. In claim 1, the one-port SAW resonator comprises a division of one interdigital transducer into three areas and is formed so that the period length of each divided area is different. The two-port SAW resonator of Takagi, which is provided with three interdigital transducers and is formed so that the period lengths of the second and third interdigital transducers arranged on both sides of the first interdigital transducer are different, does not teach or suggest this presently claimed structure.

In addition, it was acknowledged in the Office Action that Takagi did not teach or suggest the requirements regarding the vibration displacement envelope amplitude recited in claim 1. However, the Patent Office alleged that these limitations were inherent to the SAW resonator described in Takagi. The Patent Office reasoned that Takagi describes a SAW

resonator having the same structure as recited in claim 1, and thus that such structure would necessarily be capable of achieving the recited vibration displacement envelope amplitude. Applicants disagree.

As was discussed above, the two-port SAW resonator of Takagi has a structure different from the one-port SAW resonator defined in claim 1. Thus, the Patent Office's assertion that the structures are the same is not correct. As such, there is no reasonable basis for the assertion that the vibration displacement envelope amplitude property recited in claim 1 would have been inherent to Takagi's differently structured SAW resonator. It is thus respectfully submitted that Takagi also fails to teach or suggest this additional feature of claim 1.

For at least the foregoing reasons, Applicants submit that Takagi fails to anticipate the SAW resonator of claims 1 and 2. Reconsideration and withdrawal of the rejection are respectfully requested.

IV. Rejection Under 35 U.S.C. §103(a)

Claim 4 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Takagi in view of JP 57-73513 (Shimizu). This rejection is respectfully traversed.

Shimizu was cited as allegedly teaching a rotated ST-cut quartz-crystal plate in which a quartz-crystal rotated Y plate is rotated by a rotational angle $\theta = 31$ to 42 degrees in a counterclockwise direction about the electrical axis (X axis), and the propagation direction x of the surface acoustic wave being rotated in-plane in a range of 40 to 46 degrees from the electrical axis (X axis), as recited in dependent claim 4.

However, even if it were to be accepted that Shimizu teaches such a plate, and that it were proper to combine these teachings with Takagi, the SAW resonator of claim 1 would not have been achieved. In particular, Shimizu does not remedy any of the deficiencies of Takagi extensively discussed above.

For the foregoing reasons, Applicants submit that Takagi and Shimizu, alone or in combination, do not teach or suggest the claimed SAW resonator. Reconsideration and withdrawal of this rejection are respectfully requested.

V. Allowable Subject Matter

Applicants note with appreciation the indication that claims 3 and 5 contained allowable subject matter.

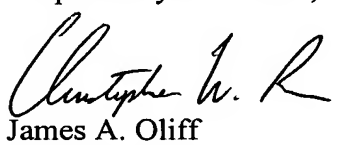
In view of the foregoing amendments and remarks, Applicants submit that all of claims 1-5 are now in condition for allowance.

VI. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-5 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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DEPOSIT ACCOUNT USE AUTHORIZATION
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Amendments to the Drawings:

The attached replacement drawing sheets make changes to Figs. 2 and 3A and replace the original sheets with Figs. 2, 3A and 3B.

Attachment: Replacement Sheets